

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

In Re:

LEIGH ANN ARD,

Debtor.

CASE NO.: 15-bk-01785-PMG
CHAPTER 13

CHAPTER 13 PLAN

The Debtor submits the following Chapter 13 Plan:

The future earnings of the Debtor are submitted to the control and supervision of the Trustee. The total monthly payment to the trustee will be **\$785.00** per month for month 1 and then **\$1,476.45** for months 2 through 60. From the payments so received, the Trustee shall make disbursements as follows:

A. **PRIORITY CLAIMS**

1. The fees and expenses of the Trustee shall be paid over the life of the Plan at the rate of ten percent (10%) of all payments under the Plan.
2. **LAW OFFICE OF ROBERT J. SLAMA** is owed attorneys fees in the amount of \$900.00 for Mortgage Mediation. The Trustee shall pay these fees at the rate of **\$180.00** per month for months 1 through 5.

B. **SECURED CLAIMS**

1. **Seretus** holds a first mortgage on Debtor's property located at 12182 Caliber Court Jacksonville, FL 32258. The Trustee shall make the monthly mortgage payment in the amount of **\$0.00** for month 1 and then **\$825.00** per month for months 2 through 60.
2. **Bank of America** holds a second mortgage on the Debtor's property located at 12182 Caliber Court Jacksonville, FL 32258. The Debtor shall seek a Modification. Upon Modification the Debtor shall reaffirm and pay the agreed amount towards the debt. The Trustee shall pay at the rate of **\$0.00** per month until modification .
3. **HSBC Polaris** holds a lien on the Debtor's 2007 Yamaha ATV in the amount of \$4,500.00 which the Trustee shall pay at the rate of **\$100.00** per month for months 1 through 45.
4. **Wells Fargo Dealer** holds a lien on the Debtor's 2012 Nissan Pathfinder in the amount of \$23,522.91 which the Trustee shall pay at the rate of **\$427.69** per month for months 1 through 55.

C. UNSECURED CLAIMS All unsecured creditors, including those secured creditors who have deficiency claims, who timely file valid claims shall receive distribution pro-rata. The Trustee shall distribute to unsecured creditors by a payment of **\$0.00** per month for months 1 through 45 and then **\$76.12** per month for months 46 through 55 and then **\$503.81** for months 56 through 60. The total amount paid to unsecured creditors under this Plan will be \$1,508.05.

D. OTHER PROVISIONS

- (1) Except for claims of governmental units, any creditor's claim filed after the Bar Date set by the Court will receive no distribution under this Plan unless specifically provided for above, unless debtors file the same on behalf of a creditor.
- (2) All creditors shall retain their liens to the extent permitted by 11 U.S.C. Section 506(d), except as the underlying debts are extinguished under this Plan.
- (3) To satisfy the requirements of Section 365 of the Bankruptcy Code, Debtors hereby assumes all leases and contracts.
- (4) Title to the Debtor's property shall revert in the Debtor upon confirmation of this Plan.
- (5) *Except as provided for in the Plan, the Order confirming the Plan or other court Order, no interest, late charges, penalties, or attorney's fees after the date of case filing will be paid to or assessed by any secured creditor.* 11 U.S.C. Section 1327(a) provides: "The provisions of a confirmed plan bind the debtor and each creditor, whether or not the claim of such creditor provided for by the plan, and whether or not such creditor has objected to, has accepted, or has rejected the plan."
- (6) **LATE FEES OR ATTORNEYS' FEES**. Once debtor successfully completes the Chapter 13 plan and a discharge is entered by the Court, no creditor shall be entitled to any late fees, attorney's fees, other costs or interest other than the interest contained in the payments provided for by the plan during this bankruptcy, including the life of this plan, except as ordered by this Court, excluding existing student loan claims.
- (7) **INSURANCE**. Debtor will keep the collateral that secures any debt paid under this Plan insured as provided for in the agreement between the Debtor and creditor.

Dated this **6th** day of May, 2015.

/s/ Robert J. Slama
Robert J. Slama, Esq.
Florida Bar No: 919969
6817 Southpoint Parkway
Ste. 2504
Jacksonville, Florida 32216
support@robertjlamapa.com
Attorney for Debtor

CERTIFICATE OF SERVICE

I hereby certify that a copy of this Chapter 13 Plan was furnished by CMECF and U.S. Mail to all creditors and interested parties as listed on the attached creditor matrix on this **6th** day of May, 2015.

Label Matrix for local noticing
113A-3
Case 3:15-bk-01785-PMG
Middle District of Florida
Jacksonville
Wed May 6 18:54:39 EDT 2015

United States Trustee - JAX 13/7/7
Office of the United States Trustee
George C Young Federal Building
400 West Washington Street, Suite 1100
Orlando, FL 32801-2210

Bank of America, N.A.
450 American Street
Simi Valley, CA 93065-6285

Capital One
P.O. Box 30281
Salt Lake City, UT 84130-0281

City of Jacksonville
117 West Duval Street Ste. 480
Jacksonville, FL 32202-5721

Duval County Tax Collector
231 Forsyth St. #130
Jacksonville FL 32202-3380

Florida Dept. of Revenue
Bankruptcy Unit
P.O. Box 6668
Tallahassee, FL 32314-6668

HSBC Polaris
Retail Services
P.O. Box 15521
Wilmington, DE 19850-5521

Internal Revenue Service
PO Box 7346
Philadelphia, PA 19101-7346

Kohls
P.O. Box 3115
Milwaukee, WI 53201-3115

Leigh Anne Ard
12182 Caliber Court
Jacksonville, FL 32258-1230

Robert J. Slama
The Law Office of Robert J. Slama P.A.
6817 Southpoint Parkway Ste. 2504
Jacksonville, FL 32216-8200

Seretus
P.O. Box 2008
Grand Rapids, MI 49501-2008

United States Attorney
300 North Hogan St Suite 700
Jacksonville, FL 32202-4204

Wells Fargo Bank, N.A.
P.O. Box 19657
Irvine, CA 92623-9657

Wells Fargo Dealer Services
P.O. Box 25341
Santa Ana, CA 92799-5341

Douglas W. Neway
P O Box 4308
Jacksonville, FL 32201-4308

Robert J. Slama
6817 Southpoint Parkway Suite 2504
Jacksonville, FL 32216-8200

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d)Leigh Anne Ard
12182 Caliber Court
Jacksonville, FL 32258-1230

End of Label Matrix
Mailable recipients 17
Bypassed recipients 1
Total 18